

**FILED**

APR 22 2009

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BY \_\_\_\_\_  
DEPUTY CLERK.

Kerry P. Zeiler (SBN 233944)  
KO & ZEILER  
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Orange, CA 92867  
(714) 633-4350  
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Attorney for Plaintiff  
California Pipe Recycling, Inc.

UNITED STATES DISTRICT COURT  
IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA

CALIFORNIA PIPE RECYCLING, INC., )  
Plaintiff, )  
vs. )  
S.W. PIPE HOLDINGS, INC., a )  
Corporation; SOUTHWEST PIPE )  
SERVICES, INC., a Corporation; JOSEPH )  
BRIERS, an individual; BRIERS PIPE )  
SERVICES CORP., a Corporation; )  
ROBERT P. INGRUM, an individual; )  
ROBBYE R. WALDRON, Chapter 7 )  
Trustee, and DOES 1-10, inclusive, )  
Defendants. )

Case No.: 08-cv-236

*Assigned for All Purposes  
Hon. Lawrence J. O'Neill*

**STIPULATION FOR TRANSFER ON  
BIFURCATED CLAIM, ON REMAND,  
AND ORDER FOR A STAY OF  
PROCEEDINGS**

TO ALL PARTIES AND/OR THEIR ATTORNEYS OF RECORD:

It is hereby stipulated and agreed between the parties to this action, as indicated by  
their signatures hereto, and further ORDERED by the court:

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**ORDERS**

**As to BIFURCATED CLAIM FOR INTERPLEADER:**

This Claim for Relief is STAYED for a period of ninety days from the date of this Order and TRANSFERRED to the United States District Court, Southern District of Texas (Houston).

The Clerk of the Court is ORDERED, within thirty (30) days of receipt of written notice of the United States District Court, Southern District of Texas (Houston) case number, to TRANSFER and remit to the coffers of the Clerk of said District Court the entire sum being held by the Clerk in this case: \$104,680.00.

**As to PLAINTIFF'S CLAIM FOR DECLARATORY RELIEF:**

All proceedings regarding this claim are STAYED until further order of this court.

**As to DEFENDANTS JOSEPH BRIERS, S.W. PIPE HOLDINGS, INC.; SOUTHWEST PIPE SERVICES, INC.'S CROSS-COMPLAINT FOR BREACH OF CONTRACT**

For good cause shown, this claim is REMANDED and TRANSFERRED to Brazoria County Texas Judicial District 412 case number 41741, styled *Cambio v. Briers*.

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1 FOR:  
2 Plaintiff,  
3 California Pipe Recycling, Inc.

/s/ Kerry Zeiler  
Kerry Zeiler  
KO & ZEILER

5 Defendants,  
6 Joseph Briers; S.W. Pipe Holdings, Inc.;  
7 Southwest Pipe Services, Inc.

/s/ Jason Powers  
Jason Powers  
POWERS & SLAY

10 Robbye R. Waldron, Chapter 7 Trustee

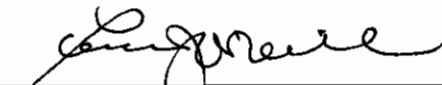
/s/ David Jones  
David Jones  
PORTER & HEDGES, LLP

14 Robert Ingram

/s/ Nicholas Reisch  
Nicholas Reisch  
on behalf of Leonard J. Meyer  
ZIMMERMAN, AXELRAD,  
MEYER, STERN & WISE, P.C.

20 **IT IS SO ORDERED:**

21  
22 Dated: April 22, 2009

  
Hon. Lawrence J. O'Neill  
Judge of the United States District Court